

have been caused by the non-contemporaneous submission of this translation with the foreign patent document.

This "Preliminary Amendment Regarding Information Disclosure Statement" replaces the "Preliminary Amendment Regarding Information Disclosure Statement" previously submitted (filed October 5, 2001), and is responsive to the Office's "Notice of Non-Compliant Amendment" (mailed 10/16/01), a copy of such Notice being enclosed herewith. The Notice asserts that the previously filed Preliminary Amendment is non-compliant because it does not include a marked-up version of the replacement paragraph, citing CFR 1.121(b)(1)(iii). Since 37 CFR 1.121(b) applies to amendments to the *specification*, applicant did not submit a marked-up version of the amended paragraph of the previously submitted *Information Disclosure Statement*, which is not considered part of the specification. Nevertheless, applicant submits herewith a marked-up copy of the amended paragraph as if such marked-up copy were required by 37 CFR 1.121(b)(1)(iii).

Respectfully submitted,



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David Weiss
Attorney for Applicants
Registration No. 24,803

2551 Colorado Boulevard
Los Angeles, California 90041
(323) 254-5020

Replacement Information Disclosure Statement Paragraph Marked Up

If Required by 37 CFR §1.121(b)

a. [The relevance of French patent 921069 would appear to be the drawing. An English-language translation is not readily available to applicants.] An English-language translation of French patent 921069 is submitted herewith.